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CC

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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LORRI J. FORTUNATO,

Docket No. 2:11-cv-00794-SRC-MAS

Plaintiff,

-against-

CHASE BANK USA, N.A.,

Defendant.

**ORDER GRANTING CHASE'S
MOTION TO TRANSFER OR, IN
THE ALTERNATIVE, TO
DISMISS**

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This matter having been opened to the Court on the motion of Stagg, Terenzi, Confusione & Wabnik, LLP, attorneys for defendant, Chase Bank USA, N.A. ("Chase"), for an order pursuant to 28 U.S.C. § 1404(a) transferring this action to the Southern District of New York, as a more convenient forum, and for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Counts II, III, IV, V and VI of plaintiff's complaint, and for such other and further relief as the Court deems proper, and the Court having fully considered Chase's motion and any opposition thereto, and for good cause shown,

IT IS HEREBY ORDERED that Chase's motion is GRANTED and the action is transferred to the Southern District of New York, ~~and plaintiff's claims for abuse of process (Count II), violation~~

~~of the New York Deceptive Acts and Practices statute (Count III), negligence (Count V), false light~~

*Defendant's motion to dismiss counts II, III, IV,
V and VI of plaintiff's complaint shall be adjudicated
in that forum.*

invasion of privacy (Count VI) and defamation (Count IV), are dismissed with ~~prejudice~~.

Dated: 9/13/11

proposed order


Hon. Stanley R. Chesler
United States District Court Judge